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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
SOUTHERN DISTRICT

JOHN MEGGS, individually,

Plaintiff,

vs.

BOULEVARD VENTURES, LLC, a Nevada limited  
liability company,

Defendants.

BOULEVARD VENTURES, LLC, a Nevada limited  
liability company,

Third-Party Plaintiff,

vs.

MACY'S, INC., a Delaware Corporation; J.C.  
PENNEY COMPANY, INC., a Delaware corporation;  
and J.C. PENNEY CORPORATION, INC., a  
Delaware corporation, MACY'S WEST STORES,  
INC., an Ohio corporation; RTKL NEVADA CORP., a  
Nevada corporation; and M A MORTENSON  
COMPANY, a Minnesota Corporation.

Third-Party Defendants

Case No. 2:14-cv-01535-APG-GWF

ORDER

**STIPULATION AND ORDER TO DISMISS J.C. PENNEY, INC. AND J.C. PENNEY  
CORPORATION, INC.**

IT IS HEREBY STIPULATED AND AGREED, by and between Third-Party Plaintiff,  
BOULEVARD VENTURES, LLC ("**Boulevard**") by and through its attorneys of record, SMITH  
& SHAPIRO, PLLC; Third-Party Defendants J.C. PENNEY COMPANY, INC. ("**J.C. Penney**") and  
J.C. PENNEY CORPORATION, INC. ("**J.C. Penney Corp.**") by and through its attorneys of record,

SMITH & SHAPIRO, PLLC  
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THORNDAL ARMSTRONG DELK BALKENBUSH & EISINGER LAW OFFICES, hereby stipulate and agree that all of Third-Party Plaintiffs' claims against Third-Party Defendants, J.C. Penney and J.C. Penney Corp. are and shall be dismissed, each party to bear their own attorney's fees and costs, and Third-Party Defendants, J.C. Penney and J.C. Penney Corp. shall be dismissed as a Third-Party Defendants in the present action. This dismissal shall be with prejudice only as to Boulevard's claims for Indemnity and Declaratory Relief relating to the specific claims asserted by Mr. John Meggs against Boulevard Ventures, LLC in the present matter. This dismissal shall be without prejudice as to, and shall not affect, any other or future claims made by anyone other than Mr. John Meggs, nor any future claims made by Mr. John Meggs.

Dated this 14<sup>th</sup> day of June, 2016.

SMITH & SHAPIRO, PLLC

/s/ James E. Shapiro, Esq.

James E. Shapiro, Esq.  
Nevada Bar No. 7907  
2520 St. Rose Pkwy., Suite 220  
Henderson, NV 89074  
*Attorneys for Third-Party Plaintiff*

Dated this 14<sup>th</sup> day of June, 2016.

THORNDAL, ARMSTRONG, DELK,  
BALKENBUSH & EISINGER LAW  
OFFICES

/s/ Brian K. Terry, Esq.

Brian K. Terry, Esq.  
Nevada Bar No. 3171  
1100 E. Bridger Ave.  
Las Vegas, NV 89101  
*Attorneys for Third-Party Defendants*  
J.C. Penney Corporation, Inc. and  
J.C. Penney, Inc.

**ORDER**

GOOD CAUSE APPEARING, IT IS SO ORDERED.

Dated: June 14, 2016.

  
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DISTRICT COURT JUDGE